

Message Text

UNCLASSIFIED

PAGE 01 WARSAW 07173 051605Z

64

ACTION EUR-12

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UNCLAS WARSAW 7173

COMMERCE PASS BEWT/TDAD/VERZARIU

E.O. 11652: N/A

TAGS: BEXP PL

SUBJ: TRADE COMPLAINT-AUTOMATIC MACHINERY CORP VS POLIMEX-CEKOP

REF: (A) USDOC WASHDC 16060, (B) WARSAW 6762

1. MRS. DOBROWOLNA HAS COMPLETED HER INSPECTION OF THE TWO MACHINES AT THE KIELCE PAPER PLANT. BOTH MACHINES PRODUCE AT ONLY ONE THIRD OF THEIR CONTRACTUAL PRODUCTION RATE.

2. IT IS MRS. DOBROWOLNA'S DECISION THAT THIS MATTER BE RECTIFIED BY (1) RETURNING ONE OF THE MACHINES TO AMC WITHOUT CHARGE OF ANY KIND FOR THAT MACHINE TO POLIMEX-CEKOP; AND (2) REBUILDING THE SECOND MACHINE SO THAT IT WILL PERFORM AT ITS CONTRACTUAL PRODUCTIVITY RATE, ALL REBUILDING TO BE DONE AT THE EXPENSE OF THE MANUFACTURER, AMC.

3. ALTERNATIVE SOLUTIONS WILL NOT BE ACCEPTED UNLESS AMC FULFILLS ITS CONTRACTUAL OBLIGATION TO PERFORM GUARANTEE TESTS TO PROVE THAT THE MACHINES CAN PERFORM TO CONTRACTUAL PRODUCTIVITY RATES. THESE TESTS MAY EVEN BE PERFORMED ON MATERIALS PROVIDED BY AMC.

4. AMC MUST IMMEDIATELY CONTACT MRS. HALINA DOBROWOLNA, POLIMEX-CEKOP, AND THE KIELCE PAPER PLANT TO SCHEDULE (1) THE GUARANTEE TESTS, (2) RETURN OF ONE OF THE MACHINES TO AMC, AND (3) REBUILDING OF THE OTHER MACHINE. IF AMC FAILS TO TAKE IMMEDIATE AFFIRMATIVE REMEDIAL ACTION, THE MATTER WILL GO TO UNCLASSIFIED

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ARBITRATION.

DAVIES

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